

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim 11 is requested to be cancelled.

Claims 10 is currently being amended.

No Claims are being added.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-10 and 12-21 are now pending in this application.

In the Office Action, claims 10-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable Wu (U.S. Patent No. 6,202,204). Claim 10 has been amended to incorporate the recitations of canceled claim 11. As amended, claim 10 recites that a method for optimizing instructions in a program comprises identifying first and second instructions in which (A) a first memory location and a first register contain the same value preceding the first instruction, (B) the first instruction stores a value into a second memory location, and (C) the second instruction subsequent to the first instruction loads a value from the first memory location into a second register, and replacing the second instruction such that, a run-time determination is made as to whether the first and second memory locations are different, in which case, a register copy, rather than a load from memory, is executed.

In the rejection, the Examiner noted that Wu determined whether the register locations were the same to determine if a redundant load existed. The Examiner then asserted that there is a "one to one correspondence between registers and memory locations." Based on this assertion, the Examiner further asserted that it would have been obvious that testing whether the memory locations that were accessed by the register were the same would have provided an alternative view to determine if a load would have been redundant.

In contrast to the Examiner's assertions, there is nothing in Wu that discloses or suggests there is "one to one correspondence" between registers and memory locations. In fact, since a computer system has significantly more memory locations than registers, such an assertion cannot be true. Moreover, checking whether the register locations are the same has nothing to do with whether a first memory location from which a value is loaded is different than a second memory location to which a value is stored. Accordingly, determining whether the register locations are the same to determine if a redundant load existed, as taught by Wu, is not the same as determining whether the memory addresses are different, as recited in claim 10. Therefore, claim 10 is patentably distinguishable from Wu. Claim 12 is also patentably distinguishable from Wu by virtue of its dependency from claim 10, as well as its additional recitations.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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